

REMARKS

In an Office Action dated February 3, 2003, claims 8-12, all of the claims under consideration in the subject patent application, were rejected. By amendment above, claims 8 and 11 have been rewritten. Support for the amendments in claims 8 can be found on page 7, lines 23-27; page 15, lines 3-10; and page 16, lines 4-11.

Reconsideration of this application and allowance of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 8-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rohatgi et al (US 5,626,692). The Examiner asserts that the composite material of Rohatgi is identical or only slightly different, as Rohatgi teaches a composite material which consists of a metal bulk material in which another material is homogeneously dispersed in the bulk material in a particulate form. The bulk material of Rohatgi is aluminum while the dispersion material is carbon.

The present invention is directed to a composite material manufactured by a method using a metal or non-metal as base material, with a metal or non-metal which is different from the base material dispersed therein as a dispersion material. The method comprises evaporating the metal or non-metal of the base material and the metal or non-metal of the dispersion material either simultaneously or alternately and depositing the evaporated particles on a substrate to form the composite material. The Examiner asserts that the product as described is anticipated by the Rohatgi et al patent disclosing the identical or only slightly different product.

Applicants submit that the invention is directed to a superior composite material in comparison to the prior art material because the method of production favorably eliminates the possibility of incorporation of impurities and cavities in the composite material. In contrast, the prior art methods, including the method of Rohatgi, produce similar composite material but with the possibility of the incorporation of such impurities, as is discussed in the present specification page 4, line 14 to page 5, line 9.

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claimed
then

Jepson style claim

Furthermore, independent claim 8, as amended, is directed to a composite material of substantially uniform density and substantially free of cavities. The composite material of the present invention, lacking the incorporation of impurities and defects such as cavities, as claimed in amended claim 8, is superior to the composite material of Rohatgi et al and is therefore substantially different. The composite material of the present invention is superior in that it has a higher uniform density and enables, for example, the formation of wiring for a liquid crystal display or semi-conductor circuit conforming to the requirements of having high heat resistance and low electrical resistance. In particular, the present invention, directed to a composite material, overcomes the problems observed in the prior art composite materials.

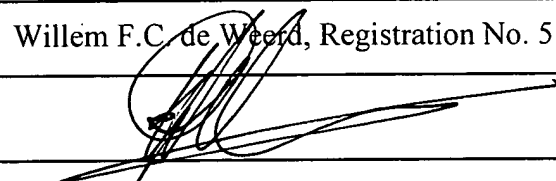
Therefore, the invention as presently claimed is substantially different from the composite material of Rohatgi et al as not all limitations of the claimed invention are disclosed in Rohatgi et al.

Applicants respectfully submit that the claimed invention in independent claim 8, as amended, and dependent claims 9-12 is not anticipated by Rohatgi et al (US 5,626,692).

Withdrawal of the rejection is respectfully requested.

Claim 12 was objected to because in line 2 of claim 12 the Examiner stated that it is not clear whether the word is "homegenously" or "homogeneously". Applicants submit that the Examiner meant to object to claim 11 as this claim and not claim 12 recites the language "homogeneously". Claim 11 has been rewritten to correctly describe the invention as "homogeneously". Applicants submit that claim 11, as amended, is corrected with respect to the claim term. Withdrawal of the objection is respectfully requested.

Applicants submits that the present application is now in condition for allowance. Reconsideration and favorable action are earnestly requested.

RESPECTFULLY SUBMITTED,					
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Amended Claims 8 and 11: Version with markings to show changes made

8. (Thrice amended) A composite material of substantially uniform density and being substantially free of cavities, [wherein said composite material is manufactured by a method using] comprising a base material comprising a metal, non-metal or a compound thereof [as base material], and dispersed therein as a dispersion material at least one [kind of a] metal, non-metal or a compound thereof, which is different from that of the base material, [dispersed as a dispersion material,] said composite material made by a method [further] comprising (i) evaporating the metal, non-metal or compound thereof of the base material and the metal, non-metal or compound thereof of the dispersion material either simultaneously or alternately to obtain evaporated particles; (ii) and depositing the evaporated particles on a substrate to form the composite material.

11. (Amended) The composite material of claim 8, wherein the dispersion material is homogeneously [homogenously] dispersed in the base material.